

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW HAMPSHIRE**

GOSS INTERNATIONAL AMERICAS,
INC.,

Plaintiff,

v.

MAN ROLAND INC., and MAN
ROLAND DRUCKMASCHINEN AG,

Defendants.

Civil Action No. C-03-513-SM

MAN ROLAND INC., and MAN
ROLAND DRUCKMASCHINEN AG,

Counterclaim Plaintiffs,

v.

GOSS INTERNATIONAL AMERICAS,
INC., and HEIDELBERGER
DRUCKMASCHINEN AG,

Counterclaim Defendants.

**PLAINTIFF’S MOTION TO COMPEL DEFENDANTS TO RESPOND TO
INTERROGATORIES AND PRODUCE RESPONSIVE DOCUMENTS**

NOW COMES the plaintiff, Goss International Americas, Inc. (“Goss”), and moves pursuant to Rule 37 of the Federal Rules of Civil Procedure, to compel the defendants to respond to interrogatories and produce responsive documents. In support of this Motion, Goss states as follows:

1. Goss seeks an Order compelling Defendants, MAN Roland Inc. and MAN Roland Druckmaschinen AG to (1) produce all documents supporting the averments in their defenses and counterclaims as requested in Goss’s Document Request Nos. 21–36; (2) explain the factual bases of the averments and contentions set forth in each of their defenses and counterclaims as

requested in Goss's Interrogatory Nos. 10–25; (3) produce the so-far withheld documents related to their knowledge of the scope and state of Goss's patents referred to in their affirmative defense of prosecution laches; (4) produce the responsive documents that Defendants' Rule 30(b)(6) designees testified were accessible to them; (5) produce all communications between Defendants and third parties concerning the products, patents or parties in this action, and certify the completeness of their document production; and (6) free the sample products they produced from the restrictions of the protective order.

2. Goss incorporates herein and respectfully refers this Court to the Memorandum of law and attachments submitted herewith. The grounds for this motion are set forth in those materials.

3. Pursuant to Local Rule 7.2, counsel for the defendants does not concur in the relief requested.

WHEREFORE, Goss respectfully requests that this Court:

- A. Issue an order as described in paragraph 1 above; and
- B. Grant such other and further relief as this Court deems just, equitable and proper.

Dated: September 16, 2004

Respectfully submitted:

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CERTIFICATE OF SERVICE

I, Daniel E .Will, hereby certify that I caused the foregoing Plaintiff's Motion to Compel Defendants to Respond to Interrogatories and Produce Responsive Documents to be served upon the following via electronic transmission in accordance with the Court's Administrative Procedures for Electronic Case Filing on September 16, 2005.

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